

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Xiaodong Duan, et al. §  
§  
Serial No.: 10/642,479 § Group Art Unit: 2613  
§  
Confirmation No.: 3852 §  
§  
Filed: August 15, 2003 § Examiner: Nathan M. Curs  
§  
For: METHOD AND SYSTEM FOR § Customer No.: 47389  
DISTRIBUTED OPTICAL §  
PERFORMANCE MONITOR IN §  
OPTICAL NETWORKS §

MAIL STOP RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**SECOND RESPONSE TO FINAL OFFICE ACTION DATED DECEMBER 28, 2007**

In response to the Final Office Action dated December 28, 2007 having a shortened statutory period for response extended one-month set to expire on April 28, 2008, and an Advisory Action dated March 18, 2008, please enter this response and Request for Continued Examination (RCE) under 37 C.F.R. 1.114 and reconsider the claims pending in the application for reasons discussed below. Although Applicants believe that no additional fees are due in connection with this response, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782/AVAN/001104/WCG for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper. **Remarks/Arguments** begin on page 6 of this paper.